IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF JUNE

TWO THOUSAND AND SEVEN

:PRESENT:

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 12680 of 2007

Between:

M/s. Tirumala Earth Movers, Door No.10-172, Opp. Bus Stand, Gajwel Medak District, rep. by its Managing Partner, B. Ramesh.

.....

PETITIONER

AND

1 The Government of A.P., rep. by its Secretary, Transport, Roads and Buildings Dept., Secretariat, Hyderabad.
2 The Superintending Engineer, Roads and Buildings,Rural Circle, Bulkampet, Hyderabad-16.
3 The Executive Engineer, Roads and Buildings, City Division, A.C. Guards, Hyderabad.
4 The Branch Manager, State Bank of Hyderabad, Gajwel, Medak District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring that the action of the respondents in forfeiting the EMD and further Security Deposit of the petitioner and asking the 4th respondent for the payment of Rs. 4,62,000/- by invoking the Bank Guarantee as bad, arbitrary, illegal and contrary to the rules and regulations by setting aside the Lr.No.DB/D1/CRD/2006-07/3792 dated 16.10.2006 and consequential letter. Supdt/CRD/BG/2007-08/375 dated 29.5.2007 / 6-6-2007 of the 3rd respondent herein and direct the respondents to pay all the deposits and dues to the petitioner immediately and in concerned with the work widening and strengthening to Dundigal to Miyapur Road from Kilometre 20/2 to KM 31/02 in Rangareddy District.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of SRI P. VENKATESWARA RAO, Advocate for the Petitioner and of the Govt. Pleader for Roads and Buildings for the respondents 1 to 3,the Court made the following:

ORDER: Post on 26-06-2007, in the motion list.

The respondents shall not insist on the payment of the

amount covered by the Bank guarantee, till that date.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Secretary, Government of A.P., Transport, Roads and Buildings Dept., Secretariat, Hyderabad.
2. The Superintending Engineer, Roads and Buildings,Rural Circle, Bulkampet, Hyderabad-16.
3. The Executive Engineer, Roads and Buildings, City Division, A.C. Guards, Hyderabad.
4. The Branch Manager, State Bank of Hyderabad, Gajwel, Medak District. (1 to 4 by RPAD)
5. 2 CCs to the Govt. Pleader for R & B, High court of A.P.Hyd. (O.U.T)
6. One C.C.to Sri P. Venkateswara Rao, Advocate. (OPUC)
7. one spare copy.

Bsr

HIGH COURT

LNR.J.

DATED 19-6-2007

POST ON 26-06-2007 IN THE MOTION LIST.

ORDER

W.P.NO. 12680 OF 2007

DIRECTION

BSR
DT. 21-6-2007

HIGH COURT

LNR.J.

DATED 19-6-2007

POST ON 26-06-2007 IN THE MOTION LIST.

ORDER

W.P.NO. 12680 OF 2007

DIRECTION